

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

THE HORSE SOLDIER, LLC,	:	CIVIL ACTION NO. 1:13-CV-2892
	:	
Plaintiff,	:	(Chief Judge Conner)
	:	
v.	:	
	:	
DONALD THARPE	:	
	:	
Defendant	:	

ORDER

AND NOW, this 6th day of February, 2014, upon consideration of plaintiff's motion (Doc. 20) for leave to file an amended complaint, wherein plaintiff seeks to add Bala Cynwyd, Ltd., as an additional defendant, and the court noting that defendant does not oppose the pending motion, (see Doc. 22), and it appearing that granting leave to amend would be in the interests of justice, see FED. R. CIV. P. 15(a)(2) ("[A] party may amend the party's pleading only with . . . the court's leave. The court should freely give leave when justice so requires."), and the court finding that an amended complaint renders the original complaint a legal nullity, see Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) ("An amended complaint supercedes the original version in providing the blueprint for the future course of the lawsuit."); 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) ("Once an amended pleading is interposed, the original pleading no longer performs any function in the case . . ."), it is hereby ORDERED that:

1. The motion (Doc. 20) for leave to file an amended complaint is GRANTED.
2. The Clerk of Court is directed to file the proposed document (Doc. 20, Ex. A) as an amended complaint, as of the date of this order.
3. The amended motion (Doc. 13) to dismiss the complaint is DENIED as moot without prejudice.
4. Defendant shall respond to the amended complaint in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania